

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NORTH DAKOTA  
SOUTHWESTERN DIVISION

UNITED STATES OF AMERICA,	)	
	)	Criminal No. 4:05-cr-103-02
Plaintiff,	)	
	)	<b><u>DISMISSAL OF COUNT SIX OF THE</u></b>
-vs-	)	<b><u>INDICTMENT</u></b>
	)	
RUSTY MASON,	)	
	)	
Defendant.	)	

Pursuant to Rule 48(a) of the Federal Rules of Criminal Procedure, the Assistant United States Attorney for the District of North Dakota hereby dismisses Count Six of the Indictment against Rusty Mason, defendant, and respectfully requests leave of Court to file said dismissal.

Dated this 15th day of May, 2006.

DREW H. WRIGLEY  
United States Attorney

By: */s/ Rick L. Volk*  
RICK L. VOLK  
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Attorney for United States

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NORTH DAKOTA

UNITED STATES OF AMERICA,	)	
	)	Criminal No. 4:05-cr-103-02
Plaintiff,	)	
	)	<u>CERTIFICATE OF SERVICE</u>
-vs-	)	
	)	
RUSTY MASON,	)	
	)	
Defendant.	)	

I hereby certify that on May 15, 2006, the following documents:

Dismissal of Count Six of the Indictment

Certificate of Service

were filed electronically with the Clerk of Court through ECF, and that ECF will send a Notice of Electronic Filing (NEF) to the following:

James G. Wolff: jamesgwolff@wolfflawoffices.com

I further certify that a copy of the foregoing documents and the Notice of Electronic Filing will be mailed by first class mail, postage paid, to the following non-ECF participants:

Dated: May 15, 2006

/s/ Rick L. Volk  
Rick L. Volk  
Assistant United States Attorney